

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: August 16, 2006

Division: Growth Management

Bulk Item: Yes No X

Department: Planning and Env. Resources

Staff Contact Person: Alexander Adams

AGENDA ITEM WORDING: A public hearing to consider a request for Administrative Relief from Dean Parkinson for Lot 26, Block 2, Key Largo, Real Estate Number 00538560.000000.

ITEM BACKGROUND: A Building permit was applied for on June 27, 2002. The applicant applied for administrative relief on July 12, 2005 and is within the allowable time frame to be eligible for administrative relief under Section 9.5-122.2(f) of the Monroe County Code.

Staff recommends that administrative relief be granted in the form of a dwelling unit allocation award.

PREVIOUS RELEVANT BOCC ACTION: N/A

CONTRACT/AGREEMENT CHANGES: N/A

STAFF RECOMMENDATIONS: Approval.

TOTAL COST: N/A

BUDGETED: Yes N/A No

COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes No **AMOUNT PER MONTH** **Year**

APPROVED BY: County Atty. X OMB/Purchasing N/A Risk Management N/A

DIVISION DIRECTOR APPROVAL: Ty Symroski
Ty Symroski, Growth Management Director

DOCUMENTATION: Included X

Not Required

DISPOSITION:

AGENDA ITEM #

RESOLUTION NO. -2006

A RESOLUTION BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS **APPROVING** THE REQUEST FOR ADMINISTRATIVE RELIEF MADE BY DEAN PARKINSON ON THE PROPERTY DESCRIBED AS LOT 26, BLOCK 2, OCEAN ISLE ESTATES, KEY LARGO, RE #00538560.000000. THE RELIEF IS IN THE FORM OF ONE (1) DWELLING UNIT ALLOCATION.

WHEREAS, Dean Parkinson submitted an application for administrative relief under Sec. 9.5-122(f) of the Monroe County Land Development Regulations, and

WHEREAS, the Monroe County Board of County Commissioners makes the following findings of fact and conclusions of law;

1. Dean Parkinson's application for administrative relief is for Lot 26, Block 2, Ocean Isle Estates, Key Largo. RE#00538560.000000.
2. The application has been in the ROGO system for at least four (4) consecutive years.
3. The Board of County Commissioners (BOCC) has the authority to grant administrative relief under Section 9.5-122(f)(6) and may grant the applicant a building allocation, offer to purchase the property at fair market value, or provide such other relief as may be necessary and appropriate.
4. The lot is not identified as being in the Conservation and Native Area (CNA), received no negative environmental points and (1) one positive environmental point.
5. Board of County Commissioners Resolution #223-2004 directs staff to identify small parcels with indigenous hammock or pinelands.
6. The subject property is not in an area of indigenous hammock or pinelands.
7. Policy 101.6.5 of the 2010 Comprehensive Plan provides criteria to be used for determining lands that are appropriate for acquisition and the criteria includes the environmental sensitivity of the vegetative habitat on the lot.
8. The subject property is zoned Improved Subdivision (IS), and is located in the Ocean Isle Estates Subdivision and is not environmentally sensitive.
9. The applicant applied for administrative relief on July 12, 2006, under Section 9.5-122.2(f) of the Monroe County Code and Policy 101.6.1 of the 2010 Comprehensive Plan.
10. Section 9.5-122.2(f) of the Monroe County Code provides a mechanism whereby an applicant who has not received an allocation award in ROGO may apply to the Board of County Commissioners for administrative relief.

11. The Applicant has been in the ROGO system for three of the last four annual allocation periods and therefore qualifies for administrative relief.
12. The property does not qualify under criteria established by Resolution #223-2004 for purchase by the Monroe County Land Authority of small parcels with indigenous hammock and pinelands.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, THAT:

Administrative relief is granted to Dean Parkinson, for his lot described as Lot 26, Block 2, Ocean Isle Estates, Key Largo, in the form of a dwelling unit allocation award, subject to the following conditions:

1. The timing of the issuance of the permit shall be in accordance with the annual number of residential allocations defined by Policy 101.2.13 of the Monroe County Year 2010 Comprehensive Plan and as required by Section 9.5-122.2(f) of the Monroe County Code; and
2. The allocation award shall be taken out of the next quarterly allocation which occurs on October 13, 2006 or next available allocation period; and
3. The assignment of a nutrient reduction credit shall be required prior to issuance of the permit.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the _____ day of _____, 2006.

Mayor Charles "Sonny" McCoy
Mayor Pro Tem, Dixie Spehar
Commissioner George Neugent
Commissioner
Commissioner Glenn Patton

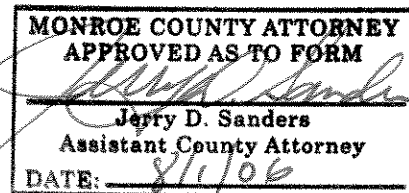
BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY _____
Mayor Charles "Sonny" McCoy

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

DEPUTY CLERK



County of Monroe

Planning Department

2798 Overseas Highway Suite 410
Marathon, Florida 33050
Voice: (305) 289-2500
FAX: (305) 289-2536



Board of County Commissioners

Mayor Charles "Sonny" McCoy, Dist. 3
Mayor Pro Tem, Dixie Spehar, Dist. 1
Comm. George Neugent, Dist. 2
Comm. David Rice, Dist. 4
Comm. Glenn Patton, Dist. 5

We strive to be caring, professional and fair

To: Board of County Commissioners
From: Ty Symroski, Growth Management Director
Date: July 25, 2006
Subject: **Mr. Dean Parkinson, Administrative Relief Request**
RE# 00538560.000000

I. BACKGROUND

The applicant is eligible for Administrative Relief having complied with all requirements of the ROGO dwelling unit allocation system and having been considered in at least three of the last four consecutive annual allocation periods and having submitted their application for Administrative Relief no earlier than the third annual allocation period and no later than ninety (90) days following the close of the fourth allocation period.

Date Entered ROGO: June 27, 2002

Date Entered Administrative Relief: July 12, 2005

ROGO Score: 22

Planning: 14

- Pts: (+10) infill, (+4) perseverance

Building: 6

- Pts: (+1) Flood Zone X, (+4) Water/Energy Conservation, (+3) Structural Integrity

Environmental: 1

- Pts: (+1) Group 1, Disturbed Scarified

II. CURRENT CONDITIONS

Location: Lot 26, Block 2, Ocean Isle Estates, Key Largo

Applicant/Agent: Gay Marie Smith

Owner: Dean Parkinson

Zoning: Improved Subdivision (IS) **FLUM:** Residential Medium (RM) **Proposed Tier:** III

2005 Taxable Value: \$11,400 **Purchase Prices in June, 2006:** \$18,000.00

III. LEGAL ELIGIBILITY AND OPTIONS

Eligibility for Administrative Relief Options:

Section 9.5-122.2(f) of the Monroe County Land Development Regulations and Policy 101.6.1 or the 2010 Comprehensive Plan provides a mechanism whereby an application which has not received an allocation award in ROGO may apply to the Board of County Commissioners for Administrative Relief. The applicant is eligible for Administrative Relief having complied with all requirements of the dwelling unit allocation system and having been considered in at least three of the last four consecutive annual allocation periods and having submitted their application for Administrative Relief no earlier than the third annual allocation period and no later than ninety (90) days following the close of the fourth allocation period.

Relief Options under Administrative Relief:

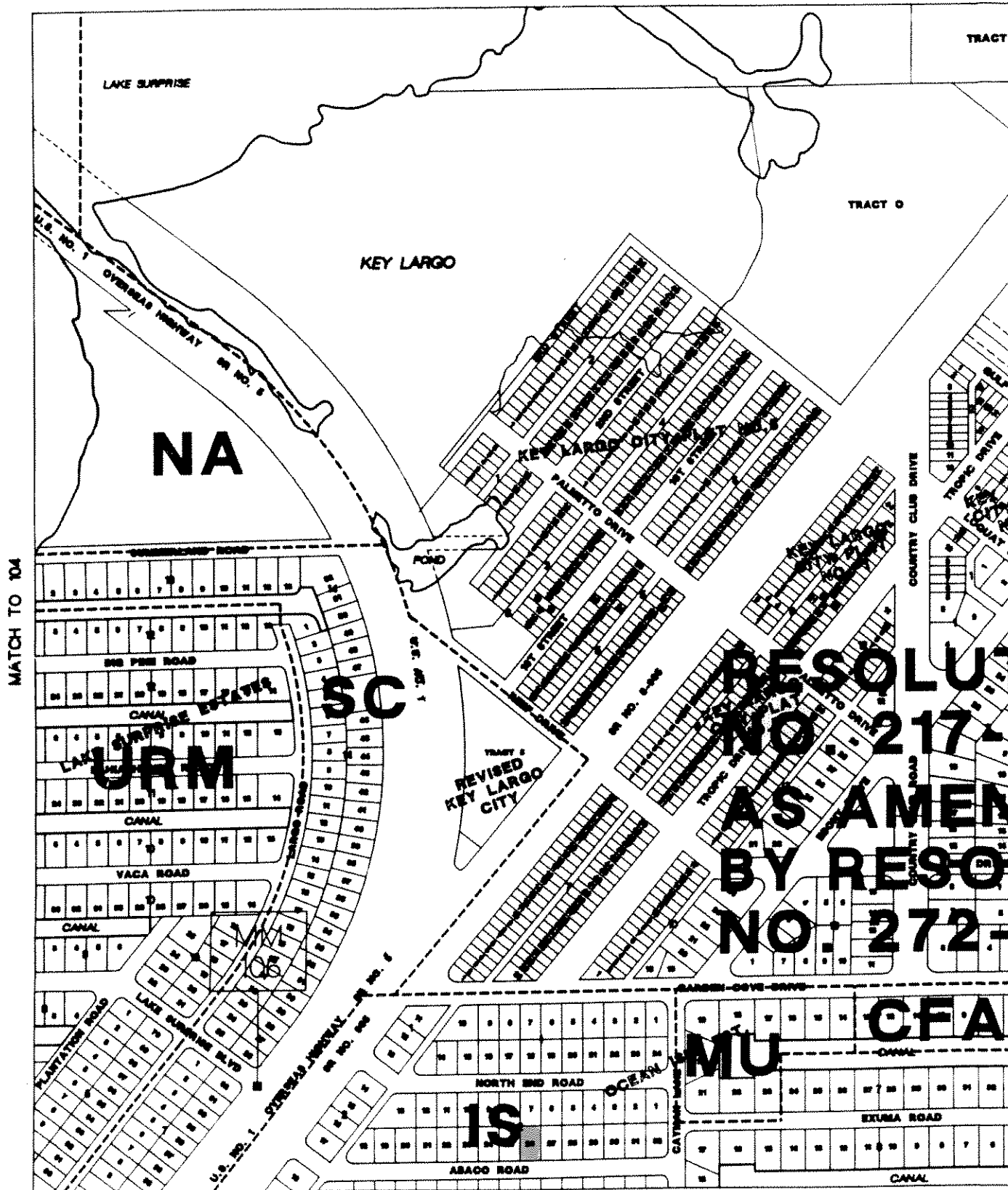
The remedies available to an application for Administrative Relief pursuant to Section 9.5-122.2(f)(6) include issuance of one ROGO allocation awarded, just compensation by purchase of the property, or such other relief as may be necessary or appropriate.

The subject property does not contain sensitive environmental features or any significant habitat for endangered or threatened species. It therefore does not meet the criteria established under the existing Policy 101.6.6 and Policy 102.4.2, or the proposed Policy 101.6.5 of the Year 2010 Comprehensive Plan for the purchase of property under Administrative Relief.

The applicant has requested administrative relief in the form of a granting of one ROGO allocation and has not expressed a desire to sell the property to the County as provided for under Policy 101.6.1 of the Year 2010 Comprehensive Plan.

IV. RECOMMENDATIONS

It is recommended that the Board of County Commissioners find that the applicant has met the criteria and qualifies for Administrative Relief. It is further recommended that a Resolution be prepared that establishes this relief awarding one ROGO allocation in the next quarterly ROGO allocation period which closes October 13, 2006, or the next available allocation period.



**MONROE COUNTY, FLORIDA,
LAND USE DISTRICT MAP**

08GN

DR TO RUEAX
24581008

APVO

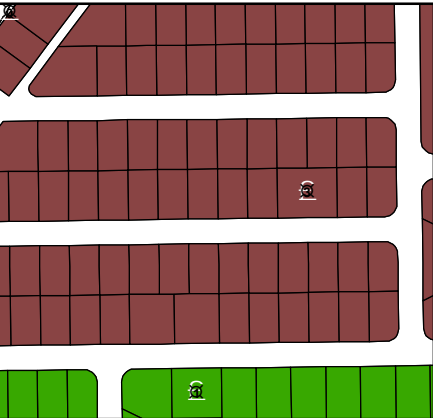
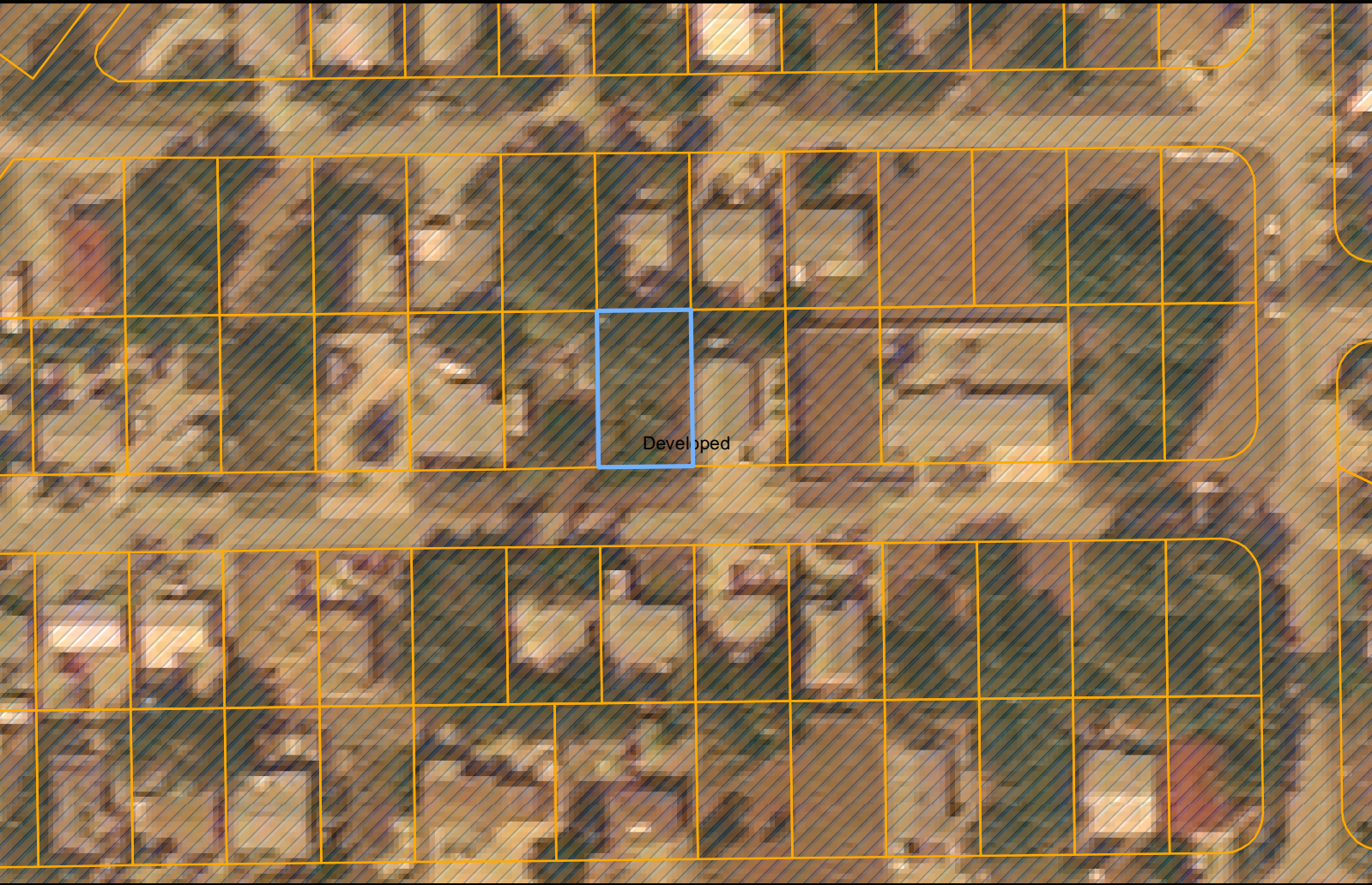
I CERTIFY THAT THIS IS AN OFFICIAL MONROE COUNTY LAND USE DISTRICT MAP AS REQUIRED AND ADOPTED BY THE MONROE COUNTY BOARD OF COMMISSIONERS BY RESOLUTION ON JANUARY 1, 1999, AS PROVIDED IN CHAPTER 9 OF THE FLORIDA KEY'S COMPREHENSIVE PLAN AND LAND DEVELOPMENT REGULATIONS, VOLUME III.

DIRECTOR, PLANNING DEPARTMENT

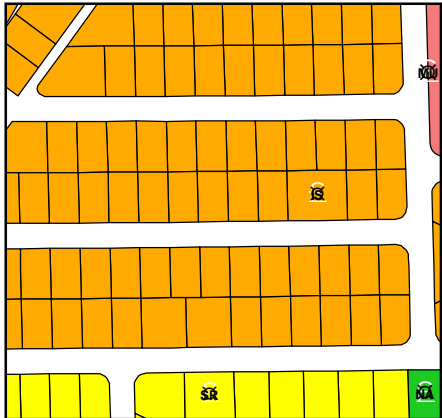
LEGEND	
ADOC	AREAS
AD	AIRPORT
CD	CONVENT
OFA	COMMISSION
OFSD	COMMISSION
OFV	COMMISSION
DR	DESTINATION

Habitat Evaluation: Block 2 Lot 26 Ocean Isle Estates 1 Key Largo

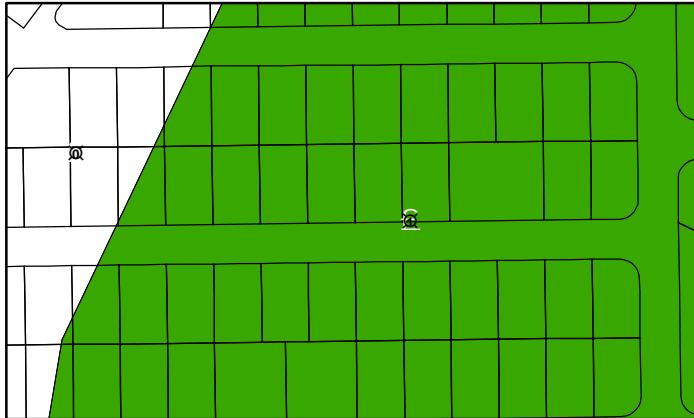
Applicant: Parkinson; RE# 00538560-000000,



Tier Designation

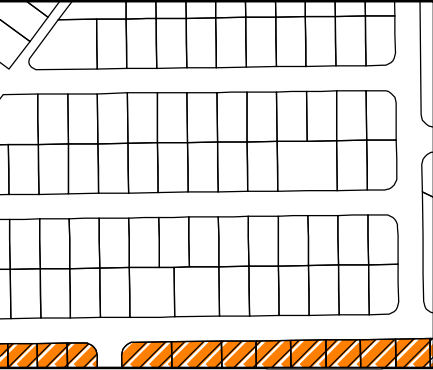


Land Use Designation

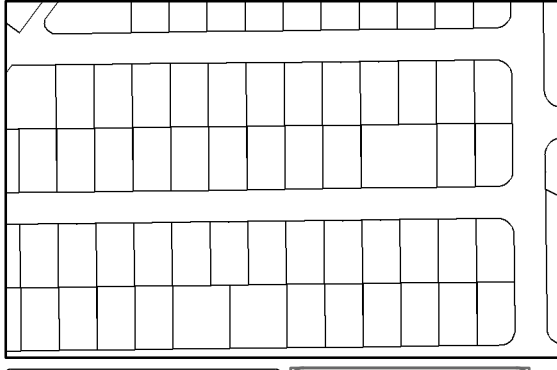


Protected Species

Average Number of Species Occuring	
Species Richness	Value
<all other values>	0
1	2
3	4
5	6
7	8
9	10



Florida Forever Boundary



Keys Marsh Rabbit Buffer/Habitat

Habitat Buffer



This map is for use by the Monroe County Growth Management Division only. The data contained herein is not a legal representation of boundaries, parcels, roads right of ways or other geographical data.

Prepared by: Andrew Omer Trivette